

AO 442 (REV. 12/85)

United States District Court FILED

WESTERN DISTRICT OF TEXAS, DEL RIO DIVISION


MAR 01 2007

UNITED STATES OF AMERICA

V.

Jose David HERNANDEZ - Martinez

Mexico

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY 
DEPUTY CLERK
CRIMINAL COMPLAINT

CASE NUMBER: DR 07-3073M-01

I, the undersigned complaintant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about February 22, 2007 in Maverick county, in the Western District of Texas defendant(s) did, (track statutory language of offense)

knowingly and willfully enter the United States at a time and place other than as designated by Immigration Officers, he/she being an alien in the United States

in violation of Title 8 United States Code, Section(s) 1325 (Misdemeanor)

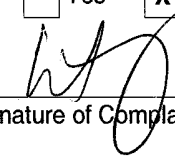
I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following

facts: On February 23, 2007, DEFENDANT Jose David HERNANDEZ - Martinez, a native and citizen of Mexico was arrested by Border Patrol Agents and subsequent investigation revealed that the DEFENDANT is an alien illegally in the United States. The DEFENDANT last entered the United States illegally from the Republic of Mexico by crossing the Rio Grande River at a time and place other than as designated by Immigration Officers, near Eagle Pass, Texas.

Continued on the attached sheet and made a part hereof:

☐ Yes ☒ No

Sworn to before me and subscribed in my presence,


Signature of Complainant

March 01, 2007

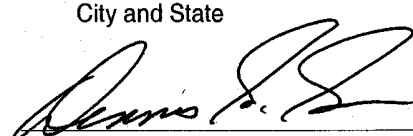
at Del Rio, Texas

Date

City and State

Dennis G. Green

U.S. Magistrate Judge
Name and Title of Judicial Officer


Signature of Judicial Officer

1. CIR./DIST./DIV. CODE TXW		2. PERSON REPRESENTED Hernandez-Martinez, Jose David		VOUCHER NUMBER 2007003661	
3. MAG. DKT./DEF. NUMBER 2:07-003073-001		4. DIST. DKT./DEF. NUMBER		5. APPEALS DKT./DEF. NUMBER	
6. OTHER DKT. NUMBER		7. IN CASE/MATTER OF (Case Name) U.S. v. Hernandez-Martinez		8. PAYMENT CATEGORY Petty Offense	
9. TYPE PERSON REPRESENTED Adult Defendant		10. REPRESENTATION TYPE (See Instructions) Criminal Case		11. OFFENSE(S) CHARGED (Cite U.S. Code, Title & Section) If more than one offense, list (up to five) major offenses charged, according to severity of offense. 1) 8 1325.P -- CONCEALMENT OF FACTS ABOUT REENTRY	
12. ATTORNEY'S NAME (First Name, M.I., Last Name, including any suffix) AND MAILING ADDRESS Garza, Robert 2116 Avenue F Suite 5 Del Rio TX 78840 Telephone Number: (830) 775-6762		13. COURT ORDER <input checked="" type="checkbox"/> O Appointing Counsel <input type="checkbox"/> F Subs For Federal Defender <input type="checkbox"/> P Subs For Panel Attorney <input type="checkbox"/> G Co-Counsel <input type="checkbox"/> R Subs For Retained Attorney <input type="checkbox"/> Y Standby Counsel Prior Attorney's Name: _____ Appointment Date: _____ <input type="checkbox"/> Because the above-named person represented has testified under oath or been otherwise satisfied this court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the interests of justice so require, the attorney whose name appears in Item 12 is appointed to represent this person in this case, or <input type="checkbox"/> Other (See Instructions) _____ Signature of Presiding Judicial Officer or By Order of the Court 03/01/2007 Date of Order _____ Repayment or partial repayment ordered from the person represented for this service at time of appointment. <input type="checkbox"/> YES <input type="checkbox"/> NO			
14. NAME AND MAILING ADDRESS OF LAW FIRM (only provide per instructions)					

CATEGORIES (Attach itemization of services with dates)		HOURS CLAIMED	TOTAL AMOUNT CLAIMED	MATH/TECH ADJUSTED HOURS	MATH/TECH ADJUSTED AMOUNT	ADDITIONAL REVIEW
In Court	a. Arraignment and/or Plea					
	b. Bail and Detention Hearings					
	c. Motion Hearings					
	d. Trial					
	e. Sentencing Hearings					
	f. Revocation Hearings					
	g. Appeals Court					
	h. Other (Specify on additional sheets)					
(Rate per hour = \$) TOTALS:						
Out of Court	a. Interviews and Conferences					
	b. Obtaining and reviewing records					
	c. Legal research and brief writing					
	d. Travel time					
	e. Investigative and Other work (Specify on additional sheets)					
(Rate per hour = \$) TOTALS:						
17.	Travel Expenses (lodging, parking, meals, mileage, etc.)					
18.	Other Expenses (other than expert, transcripts, etc.)					
GRAND TOTALS (CLAIMED AND ADJUSTED)						
19. CERTIFICATION OF ATTORNEY/PAYEE FOR THE PERIOD OF SERVICE FROM _____ TO _____			20. APPOINTMENT TERMINATION DATE IF OTHER THAN CASE COMPLETION		21. CASE DISPOSITION	
22. CLAIM STATUS <input type="checkbox"/> Final Payment <input type="checkbox"/> Interim Payment Number _____ <input type="checkbox"/> Supplemental Payment Have you previously applied to the court for compensation and/or reimbursement for this case? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, were you paid? <input type="checkbox"/> YES <input type="checkbox"/> NO Other than from the court, have you, or to your knowledge has anyone else, received payment (compensation or anything of value) from any other source in connection with this representation? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, give details on additional sheets. I swear or affirm the truth or correctness of the above statements. Signature of Attorney: _____ Date: _____						
APPROVED FOR PAYMENT - COURT						
23. IN COURT COMP.	24. OUT OF COURT COMP.	25. TRAVEL EXPENSES	26. OTHER EXPENSES	TOTAL AMT. APPR / CERT		
28. SIGNATURE OF THE PRESIDING JUDICIAL OFFICER			DATE	29. JUDGE / MAG. JUDGE CODE		
29. IN COURT COMP.	30. OUT OF COURT COMP.	31. TRAVEL EXPENSES	32. OTHER EXPENSES	TOTAL AMT. APPROVED		
34. SIGNATURE OF CHIEF JUDGE, COURT OF APPEALS (OR DELEGATE) Payment approved in excess of the statutory threshold amount.			DATE	34a. JUDGE CODE		

UNITED STATES DISTRICT COURT
Western District of Texas
DEL RIO DIVISION

FILED

MAR 05 2007

UNITED STATES OF AMERICA

v.

Case Number DR07-3073M-01

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY _____

JOSE DAVID HERNANDEZ-MARTINEZ

Defendant.

**JUDGMENT IN A CRIMINAL CASE
(For a Petty Offense) - Short Form**

The defendant, JOSE DAVID HERNANDEZ-MARTINEZ, was represented by counsel, Robert Garza.

The defendant pled guilty to the complaint on March 5, 2007. Accordingly, the defendant is adjudged guilty of the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date of Offense</u>
8 USC 1325	ILLEGAL ENTRY	February 22, 2007

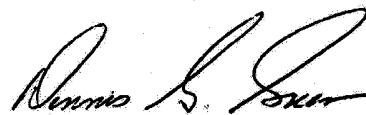
As pronounced on March 5, 2007, the defendant is hereby committed to the custody of the United States Bureau of Prisons for a term of 12 days with credit for time already served. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The special assessment imposed pursuant to 18 U.S.C. § 3013 is hereby remitted pursuant to 18 U.S.C. § 3573 because reasonable efforts to collect this assessment are not likely to be effective.

The fine is waived because of the defendant's inability to pay.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 5th day of March, 2007.



DENNIS G. GREEN
United States Magistrate Judge

Arresting Agency: EPBP
USCIS #: 89439180